

REMARKS

Drawings

Applicant has corrected Figure 2 so that it now properly identifies reference numerals 14, 24 and 33. Figure 3C has been corrected so that it now identifies the base 57 of the grip 48. An appropriate correction has also been made to the specification regarding the base 57. No new matter has been added to the specification. Finally, Figures 3E and 3F have been corrected to properly include reference numerals 60 and 60'. Therefore, Applicant respectfully requests withdrawal of the objections to the drawings.

Specification

The specification has been amended at page 6, line 5 as suggested by the Examiner. Applicant has also amended pages 7 and 9 of the specification to address the Examiner's objections to the drawings relating to reference numerals 33 and 7. No new matter has been added to the specification.

Claim Objections

35 U.S.C. §112, Second Paragraph

The Examiner has rejected claims 8 and 13 under 35 U.S.C. §112, second paragraph. Specifically, the Examiner has suggested that there is insufficient antecedent basis for "the mounting fixture" as recited in those claims. In the above amendment, claim 8 has been amended such that it now depends from claim 3 and claim 13 has been amended so that it now depends from claim 12. As a result, there is now sufficient antecedent basis for "the mounting fixture". Therefore, Applicant requests withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

35 U.S.C. §102

The Examiner has rejected claims 1-5, 9, 10, 12 and 14 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,159,133 to Shugg. Applicant respectfully requests reconsideration of this rejection.

Claims 1 and 10 as presently amended now indicate that the frame is either “directly contacting” the floor or that the base members of the frame are “positioned directly on the floor”. In contrast, the device of Shugg is secured to the back of the seat and does not directly contact the floor of the vehicle. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102(b).

35 U.S.C. §103


The Examiner has rejected claims 1-15 as being unpatentable in view of a number of articulated combination references. However, Applicant respectfully disagrees with these rejections and requests reconsideration.

In the present amendment, independent claims 1, 10 and 15 all recite the use of a “vehicle seat”. The use of such a vehicle seat in combination with an exercise apparatus is not shown or suggested by the prior art identified by the Examiner. Further, one of ordinary skill in the art would not be led to combine the teachings of the various references cited by the Examiner to arrive at the claimed invention. Specifically, none of the references relied upon by the Examiner disclose a vehicle seat. Rather, the “seats” shown in the cited references are stationary benches for use with traditional fixed station exercise equipment. However, the mere fact that such equipment may be positioned in the cargo area of a semi truck (i.e., Hanc) does not transform that bench into a vehicle seat. Therefore, Applicant respectfully requests that the Examiner withdraw the rejections to claims 1-15 pursuant to 35 U.S.C. §103.

Finally, new claims 16-29 have been added to the application. These claims, with the exception of claim 29, are identical to the claims drafted by the Examiner and set forth in pages 11-14 of the Office Action. New claim 29 is directed to the exercise apparatus only, not the combination of the vehicle and the apparatus. Applicant greatly appreciates the Examiner's effort in preparing these claims and the careful attention given to this application.

In view of the above amendments and remarks, Applicant submits that the application is now in proper form for allowance. Such action is respectfully requested.

Respectfully submitted,



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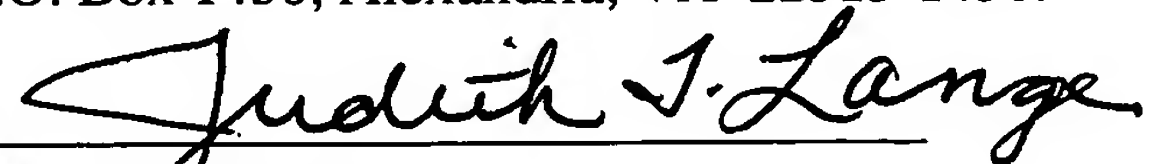
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